

By Mr. ROBINSON of Indiana: Petition of Rev. J. D. Brosy and 70 other citizens of Auburn, Ind., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. ROBINSON of Nebraska: Paper to accompany House bill for the relief of Joseph M. Campbell and Stephen Blacksmith—to the Committee on Indian Affairs.

Also, petition of officers and members of the Presbytery of Niobrara, Nebr., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. RUPPERT: Petition of the Merchants' Association of New York, urging a sufficient appropriation to maintain and extend the postal tubular system in the city of New York—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

By Mr. RUSSELL: Petition of Norwich, Conn., Indian Association, relative to an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians—to the Committee on Indian Affairs.

Also, papers to accompany House bill granting an increase of pension to Abbie T. Daniels—to the Committee on Invalid Pensions.

By Mr. RYAN of New York: Petition of Merchants' Association of New York, favoring continuance of postal tubular system—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

By Mr. VAN VOORHIS: Paper to accompany House bill granting an increase of pension to Solomon D. Sturtz—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting an increase of pension to George W. Brill—to the Committee on Invalid Pensions.

By Mr. YOUNG: Letters of George W. Wagner & Co. and John F. Graff, of Philadelphia, Pa., favoring such legislation as will strengthen our maritime position—to the Committee on the Merchant Marine and Fisheries.

Also, petition of H. B. Colesworthy, of Hornellsville, N. Y., favoring the bill for the reclassification of the Railway Mail Service—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Naval Command, No. 1, Spanish-American War Veterans, in opposition to the passage of the Army bill as now pending—to the Committee on Military Affairs.

Also, petition of H. K. Mulford Company, Philadelphia, Pa., in favor of Senate bill No. 2283, amending the war-revenue reduction bill—to the Committee on Ways and Means.

SENATE.

TUESDAY, January 22, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

VISITORS TO ANNAPOLIS.

The PRESIDENT pro tempore appointed Mr. PENROSE and Mr. MARTIN members of the Board of Visitors on the part of the Senate to attend the next annual examination of cadets at the Naval Academy at Annapolis, Md., under the requirements of the act of February 14, 1879.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3252) to establish a Branch Soldiers' Home at or near Johnson City, Washington County, Tenn.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 428) to amend the law establishing a port of delivery at Des Moines, Iowa;

A bill (H. R. 10305) to provide a home for aged and infirm colored people;

A bill (H. R. 11881) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia;"

A bill (H. R. 12396) to amend an act entitled "An act temporarily to provide revenue and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to increase the salary of the commissioner of education provided for by said act;

A bill (H. R. 12039) authorizing the Dewey Hotel Company to construct and maintain an electric and steam conduit on Stanton alley;

A bill (H. R. 13067) to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes;

A bill (H. R. 13279) to enable the directors of Providence Hospital to increase the accommodations of that institution;

A bill (H. R. 13371) to authorize advances from the Treasury of the United States for the support of the government of the District of Columbia;

A bill (H. R. 13607) to provide additional force at the workhouse and the almshouse, District of Columbia; and

A bill (H. R. 13706) regulating assessments for water mains in the District of Columbia.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 5048) to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes; and

A bill (H. R. 12548) to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Missouri.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of sundry citizens of Dunbar, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Africa; which was referred to the Committee on Foreign Relations.

Mr. KEAN presented a petition of sundry citizens of Camden, N. J., praying for the enactment of legislation reimbursing them for overtime made as letter carriers; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Barnegat, N. J., and a petition of the Woman's Christian Temperance Union of Cranbury Station, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquor to native races in Africa; which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Warren County; of H. M. Loveland, of Cohansey; of the New Jersey Dairy Union, and of the New Jersey State board of agriculture, all in the State of New Jersey, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Orange, South Boundbrook, and Newark, and of the Woman's Home and Foreign Missionary Society of the First Presbyterian Church of Newark, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. TELLER presented a petition of sundry citizens of Colorado, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. ALLEN presented a petition of sundry citizens of Aurora, Nebr., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

Mr. SCOTT presented a petition of sundry citizens of West Virginia, praying for the enactment of legislation to provide a national memorial home for aged and infirm colored people; which was referred to the Committee on Education and Labor.

Mr. FOSTER presented memorials of sundry citizens of Woodland and Kalama, all in the State of Washington, remonstrating against the adoption of certain amendments to the so-called ship-subsidy bill; which were ordered to lie on the table.

Mr. PLATT of New York presented a petition of the New York Board of Trade and Transportation, praying for the construction of an easterly breakwater at Point Judith, Rhode Island; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of New York, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

Mr. MCCOMAS presented the petition of John Q. Everson, Mark W. Watson, and sundry other citizens of Allegheny County, Pa., praying that their claims be referred to the Court of Claims; which was referred to the Committee on Claims.

Mr. THURSTON. I present a petition of the legislature of the State of Nebraska, praying for the enactment of legislation providing for the establishment of a school of mines in every State where such a school does not exist. I ask that the petition be printed in the RECORD and referred to the Committee on Mines and Mining.

There being no objection, the petition was referred to the

Committee on Mines and Mining, and ordered to be printed in the RECORD, as follows:

SENATE CHAMBER,
Lincoln, Nebr., January 15, 1901.

STATE OF NEBRASKA, Lancaster County, ss:

I, J. C. F. McKesson, secretary of the senate of the State of Nebraska, do hereby certify that on the 14th day of January, 1901, the senate of the State of Nebraska adopted the following resolutions:

"Whereas a bill has passed the Senate of the United States and is now pending in the House of Representatives providing for the establishment and maintenance of a school of mines in every State where such does not now exist and for giving further support to those already established; and

"Whereas such schools would be of incalculable benefit to the vast mineral, road-making, and geological interests of the entire country and of this State in particular: Therefore,

"Resolved, That the Representatives in Congress from the State of Nebraska be, and hereby are, requested to use their utmost, active, and earnest efforts to bring said bill to the consideration of the United States House of Representatives and to secure its passage at the present session of Congress.

"Resolved, That the chief clerk of the senate be, and hereby is, directed to forward a copy of the foregoing preamble and resolution to the Speaker of said House and to each Representative in Congress from this State."

Given under my hand the day and year last above written.

HON. JOHN M. THURSTON,
Washington, D. C.

J. C. F. MCKESSON,
Secretary of Senate.

Mr. MASON presented a petition of sundry citizens of Chicago, Ill., praying that an appropriation be made for the improvement of the Chicago River; which was referred to the Committee on Commerce.

Mr. FRYE presented the petition of James L. Holden, of Oxford, Me., praying that he be granted a pension; which was referred to the Committee on Pensions.

RIO GRANDE DAM AND IRRIGATION COMPANY.

Mr. CARTER. I present a memorial which relates to Senate bill 3794. It is a history of the Rio Grande Dam and Irrigation Company and the Elephant Butte Dam case, together with abstracts from decisions of the United States courts relating to the use of waters of nonnavigable streams for irrigation purposes. I move that the memorial be printed as a document and referred to the Committee on Foreign Relations.

The motion was agreed to.

THE PENSION CALENDAR.

Mr. GALLINGER. It will be observed, Mr. President, that we are getting a very large Pension Calendar. It is a matter I am not any more interested in than any other Senator, and perhaps I am interested less in the Calendar than almost any other Senator. The pressure is very great, both from Senators and Members of the other House, that these bills shall be considered. I desire this morning to ask that upon the conclusion of the routine morning business to-day one hour be given to the consideration of unobjectioned pension bills on the Calendar.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that at the conclusion of the morning business one hour may be given to the consideration of unobjectioned pension cases on the Calendar.

Mr. LODGE. To-day?

The PRESIDENT pro tempore. To-day.

Mr. LODGE. I hope the Senator will not put the request in that form. I have given notice of other business for to-day.

Mr. GALLINGER. I will change the request and ask it for to-morrow after the routine morning business.

Mr. HALE. Let the request stand for the present, until the chairman of the Committee on Appropriations comes in, because he has the legislative, executive, and judicial appropriation bill in charge, and it is important that it shall be got through as soon as possible. I think he will get it through to-day.

As to the pension bills, Mr. President, if the Senator from New Hampshire should try to prevent their going through he could not do so.

Mr. GALLINGER. If the Senator from Maine were in my place, he would want them to go through as speedily as possible.

Mr. HALE. I do not blame the Senator for making the request. We shall all consent to their consideration in due time. I hope he will let the matter go over for the present.

Mr. GALLINGER. Let it lie over, Mr. President. I will renew it.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 5333) for the relief of the heirs of Erskine S. Allin and the United States Regulation Firearms Company, respectively, reported it without amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (H. R. 1604) granting an increase of pension to Joel H. Hallowell, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 12620) granting an increase of pension to John P. C. Shanks, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5050) granting an increase of pension to Charles A. Marsh;

A bill (H. R. 3183) granting a pension to Edward Hounsom;

A bill (H. R. 236) granting an increase of pension to Albert M. Bennett;

A bill (H. R. 11361) granting a pension to Susan A. Miller;

A bill (H. R. 7580) granting a pension to Samuel N. Haskins;

A bill (H. R. 11574) granting a pension to William H. Palmer; and

A bill (H. R. 8794) granting an increase of pension to Ellen H. Phillips.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 3386) granting a pension to Catherine L. Taylor, reported it with an amendment, and submitted a report thereon.

He also (for Mr. PRITCHARD), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1065) granting an increase of pension to Bettie Lee Ward;

A bill (S. 3483) granting an increase of pension to Jeremiah Jackson; and

A bill (S. 3482) granting an increase of pension to Elias M. Lynch.

Mr. GALLINGER (for Mr. PRITCHARD), from the Committee on Pensions, to whom was referred the bill (H. R. 7152) granting an increase of pension to Nancy L. Donaldson, reported it without amendment, and submitted a report thereon.

He also (for Mr. KENNEY), from the same committee, to whom was referred the bill (S. 4748) granting an increase of pension to Mary Wolcott Kilburn, reported it with an amendment, and submitted a report thereon.

Mr. MALLORY, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 5137) authorizing the Secretary of the Interior to convey a certain lot in the District of Columbia to John H. Gause and others, reported it with amendments, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Claims, to whom was referred the bill (S. 1144) for the relief of the board of trustees of Lagrange Synodical College, of Lagrange, Tenn., reported it without amendment, and submitted a report thereon.

Mr. McLAURIN, from the Committee on Claims, to whom was referred the bill (H. R. 321) for the relief of the legal representative of Samuel Tewksbury, deceased, reported it without amendment, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8418) granting an increase of pension to William H. Gibbs;

A bill (H. R. 11508) granting a pension to George T. Boulding; and

A bill (H. R. 12233) granting a pension to Ashel C. Aulick.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (S. 5369) granting an increase of pension to Edmond Craig, reported it with amendments, and submitted a report thereon.

He also (for Mr. KENNEY), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7745) granting a pension to Lucinda Miller; and

A bill (H. R. 10183) granting an increase of pension to Robert A. Reid.

Mr. MARTIN, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 4728) providing for leaves of absence to certain employees of the Government, reported it with amendments.

Mr. TILLMAN, from the Committee on Naval Affairs, to whom was referred the bill (S. 4687) for the relief of Richard H. Townley, a lieutenant (junior grade) on the retired list of the United States Navy, reported it without amendment, and submitted a report thereon.

Mr. KYLE, from the Committee on Pensions, to whom was referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5560) granting an increase of pension to J. W. Harden;

A bill (S. 3030) granting an increase of pension to Henry Guckes;

A bill (S. 5451) granting an increase of pension to Mary M. Hyde; and

A bill (S. 5559) granting an increase of pension to Adolphus Richardson.

Mr. KYLE, from the Committee on Pensions, to whom was referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5431) granting an increase of pension to William H. Ball;

A bill (H. R. 3512) granting a pension to Rebecca G. Irwin;

A bill (H. R. 11910) granting an increase of pension to Thomas H. Roberts;

A bill (H. R. 10482) granting a pension to Pattie D. McCown;

A bill (H. R. 657) granting a pension to Francis A. Kitchen;

A bill (H. R. 4018) granting a pension to Elizabeth Dinnon;

A bill (H. R. 11057) granting an increase of pension to Leonhart Miller;

A bill (H. R. 2178) granting an increase of pension to James Beistle;

A bill (H. R. 191) granting an increase of pension to Laura P. Lee;

A bill (H. R. 9177) granting an increase of pension to Luke P. Allphin; and

A bill (H. R. 3660) granting an increase of pension to Franklin I. Gilbert.

Mr. THURSTON, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 12904) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. PERKINS, from the Committee on Naval Affairs, to whom was referred the bill (S. 5238) authorizing the Secretary of the Navy to contract for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast at any asylum in the State of California, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Fisheries, to whom was referred the bill (S. 5520) to establish a fish-hatching and fish station in the State of Utah, reported it without amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 5204) granting an increase of pension to John Scott, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3580) granting an increase of pension to Therou Johnson, reported it with an amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, reported an amendment proposing to appropriate \$4,000 to enable the assessor of the District of Columbia to complete the card records of his office and to prepare a list for the United States Treasury of the old levies of taxes in said District and providing that out of said amount clerks in the assessor's office may be paid for overtime work, intended to be proposed to the District of Columbia appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 5191) granting an increase of pension to Selah V. Reeve, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5405) granting an increase of pension to John H. Taylor, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4695) granting a pension to James Dorsey, reported it with amendments, and submitted a report thereon.

Mr. QUARLES, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8771) granting an increase of pension to Lyman A. Sayles;

A bill (H. R. 8679) granting an increase of pension to Chauncey Sheldon;

A bill (H. R. 11196) granting an increase of pension to Louis Snyder; and

A bill (H. R. 9985) granting an increase of pension to Martin Sherwood.

Mr. QUARLES, from the Committee on Pensions, to whom was referred the bill (S. 5363) granting a pension to Lizzie Wattles, reported it with an amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5610) granting a pension to Elizabeth B. McClellan; and

A bill (H. R. 5898) granting an increase of pension to George F. White.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 11785) to provide for the construction of a bridge by the Fargo, Duluth and Northwestern Railroad Company across the Red River of the North at Fargo, N. Dak., reported it without amendment.

R. M. PROBSTFIELD.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 5423) for the relief of R. M. Probstfield, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 5423) entitled "A bill for the relief of R. M. Probstfield," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

FLORENCE A. BROWN.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 5156) for the relief of Florence A. Brown, administratrix of the estate of John A. Brown, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 5156) entitled "A bill for the relief of Florence A. Brown, administratrix of the estate of John A. Brown," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

GEORGE W. CRAIG AND OTHERS.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills:

A bill (S. 2846) for the relief of George W. Craig;

A bill (S. 3539) for the relief of Rachel R. McMullen, administratrix of Thomas J. McMullen;

A bill (S. 3835) for the relief of Elizabeth Johnson;

A bill (S. 3964) for the relief of Robert Lay, administrator of Nancy Lay, deceased;

A bill (S. 4640) for the relief of Mollie T. Benson;

A bill (S. 4791) for the relief of Mrs. Ada G. Bankhead;

A bill (S. 4850) to refer the claim of Edward Gallaheer, deceased, late of Richmond County, Ga., to the Court of Claims;

A bill (S. 4979) for the relief of the estate of Daniel Heflebower, deceased;

A bill (S. 4994) for the relief of the estate of Henry Bauman, deceased;

A bill (S. 5137) for the relief of the estate of Walter Shirley, deceased;

A bill (S. 5245) for the relief of the estate of Henry Ingram, deceased;

A bill (S. 5378) for the relief of the estates of J. H. and C. Rowland, deceased;

A bill (S. 5470) for the relief of the legal representatives of Turner Smith, deceased; and

A bill (S. 5554) for the relief of Eugene L. Derr, administrator of the estate of John Derr, deceased,

reported the following resolution:

Resolved, That the claims represented by the following bills, to wit: S. 2846, 3539, 3835, 3964, 4640, 4791, 4850, 4979, 4994, 5137, 5245, 5378, 5470, and 5554, for the relief of George W. Craig; for the relief of Rachel R. McMullen, administratrix of Thomas J. McMullen; for the relief of Elizabeth Johnson; for the relief of Robert Lay, administrator of Nancy Lay, deceased; for the relief of Mollie T. Benson; for the relief of Mrs. Ada G. Bankhead; for the relief of Edward Gallaheer; for the relief of the estate of Daniel Heflebower, deceased; for the relief of the estate of Henry Bauman, deceased; for the relief of the estate of Walter Shirley, deceased; for the relief of the estate of Henry Ingram, deceased; for the relief of the estates of J. H. and C. Rowland, deceased; for the relief of the legal representatives of Turner Smith, deceased, and for the relief of Eugene L. Derr, administrator of the estate of John Derr, deceased, now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said Court of Claims shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PETTIGREW. Are we on the Order of Business of Resolutions?

The PRESIDENT pro tempore. No; reports of committees. The resolution just read is reported from a committee.

Mr. PETTIGREW. I shall ask to have it go over until tomorrow.

The PRESIDENT pro tempore. The Senator from South Dakota objects to the present consideration of the resolution.

THE PENSION CALENDAR.

Mr. GALLINGER. Mr. President, it is manifest that in the great pressure of public business time ought not to be taken from the regular sessions of the Senate for the consideration of pension bills, and I now rise to make the request that unanimous consent be given that after the daily session to-morrow the Senate shall meet at 7.30 o'clock in the evening, at which time unobjected pension bills will be considered, and nothing else.

The PRESIDENT pro tempore. The Senator had better name some hour to-morrow at which a recess shall be taken.

Mr. ALLISON. Half past 5.

Mr. GALLINGER. I will say half past 5.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that to-morrow at half past 5 in the afternoon the Senate shall take a recess until half past 7 in the evening for the consideration alone of unobjected pension cases. Is there objection?

Mr. PETTIGREW. Mr. President, I object. I shall not object, however, to setting apart a time during the day to-morrow for the consideration of the pension cases. I shall object to an evening session for that purpose.

The PRESIDENT pro tempore. Objection is made.

DISTRICT OF COLUMBIA CODE.

Mr. STEWART. Mr. President, the bill (H. R. 9835) to establish a code for the District of Columbia has been reported and perfected, and there are very few amendments. The reading of it is the great object. Every one knows what that bill is. It has been prepared by the Commissioners and the judges and has gone through all the process of the bar. I ask that the Senate take a recess at half past 5 to-morrow and meet at 8 o'clock for the purpose of reading the code bill and for no other purpose. It can not be read in business hours. The reading will take considerable time.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that to-morrow at half past 5 the Senate take a recess until 8 in the evening for the purpose of having the bill to establish a code for the District of Columbia read. Is there objection?

Mr. ALLEN and Mr. PETTIGREW. I object.

The PRESIDENT pro tempore. Objection is made.

WILLIAM D. RUTAN.

Mr. KEAN. I am directed by the Committee on Claims, to whom was referred the bill (S. 5133) for the relief of William D. Rutan, to report it favorably without amendment, and to recommend its passage. It is a very short bill, and I ask that it be placed on its passage now.

The Secretary read the bill, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the proper accounting officers of the Treasury Department to credit the account of William D. Rutan, late collector of internal revenue at Newark, N. J., with \$1,350, the same being the net value of certain snuff stamps forwarded by said Rutan to the Commissioner of Internal Revenue for exchange under the provisions of an act of Congress approved June 13, 1898, which stamps were lost in transit or otherwise and never accounted for.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SALARIES OF CERTAIN JUDGES.

Mr. THURSTON. The chairman of the Committee on the Judiciary has requested me to ask unanimous consent for the consideration of the bill (S. 3450) to fix the salaries of certain judges of the United States.

The PRESIDENT pro tempore. Will the Senator withhold that request until morning business is finished?

Mr. THURSTON. Certainly.

The PRESIDENT pro tempore. Reports of committees are still in order.

COUNTING OF ELECTORAL VOTES.

Mr. CHANDLER, from the Committee on Privileges and Elections, to whom was referred the concurrent resolution submitted by himself December 19, 1900, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring). That the two Houses of Congress shall assemble in the Hall of the House of Representatives on Wednesday, the 13th day of February, 1901, at 1 o'clock in the afternoon, pursuant to the requirement of the Constitution and laws relating to the election of President and Vice-President of the United States, and the President of the Senate shall be the presiding officer; that two persons be appointed tellers on the part of the Senate and two on the part of the House of Representatives to make a list of the votes as they shall be declared; that the result shall be delivered to the President of the Senate, who shall announce the state of the vote and the persons elected to the two Houses assembled as aforesaid, which shall be deemed a declaration of the persons elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

BILLS INTRODUCED.

Mr. MCENERY introduced a bill (S. 5680) for the relief of the estate of Edward Pugh, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BEVERIDGE introduced a bill (S. 5681) granting an increase of pension to Merit C. Welsh; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 5682) to correct the military record of Henry T. Phillips (with an accompanying paper); and

A bill (S. 5683) for the relief of William D. Hamilton (with accompanying papers).

Mr. DEPEW introduced a bill (S. 5684) to extend the privileges provided by an act entitled "An act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes," approved June 10, 1890, as amended; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 5685) granting an increase of pension to William B. Crosby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SULLIVAN (by request) introduced a bill (S. 5686) for lighting suburban streets by the electric railway companies whose lines occupy said streets in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAIRBANKS introduced a bill (S. 5687) granting a pension to Elizabeth Boadhead; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5688) to provide for the purchase of a site and the erection of a public building thereon at Hammond, in the State of Indiana; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN introduced a bill (S. 5689) supplemental to an act entitled "An act to incorporate the Reform School for Girls of the District of Columbia," approved July 9, 1888; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. MCOMAS introduced a bill (S. 5690) granting a pension to Mabel H. Lazear; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5691) for the relief of John Q. Everson and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 5692) granting a pension to V. S. Martin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5693) granting a pension to Reece A. Milam; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER introduced a bill (S. 5694) granting a pension to Charles W. Kyle; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5695) granting a pension to James M. Propst; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 5696) to prevent the sale of firearms, opium, and intoxicating liquors in certain islands of the Pacific; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. SCOTT introduced a bill (S. 5697) granting a pension to D. W. Keffler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 5698) to extend the time for the completion of a bridge across the Missouri River; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. DEPEW introduced a joint resolution (S. R. 152) in relation to monument to prison-ship martyrs at Fort Greene, Brooklyn, N. Y.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

Mr. FORAKER introduced a joint resolution (S. R. 153) authorizing and directing the Secretary of the Treasury to adjust certain claims of the State of Ohio; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CLAY submitted the following amendments, intended to be proposed by him to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed:

An amendment proposing to increase the appropriation for continuing the improvement of Oconee River, Georgia, from \$15,000 to \$30,000;

An amendment proposing to increase the appropriation for continuing the improvement of the Coosa River, Georgia and Alabama, from \$50,000 to \$450,000; and

An amendment proposing to increase the appropriation for continuing the improvement of Brunswick Harbor, outer bar, Georgia, from \$25,000 to \$40,000.

Mr. McMILLAN submitted an amendment proposing to appropriate \$10,000 for grading and macadamizing California and Wyoming avenues, Twenty-third, Twenty-fourth, and S streets, intended to be proposed by him to the District of Columbia appropriation bill; which was ordered to be printed, and, with the

accompanying papers, referred to the Committee on the District of Columbia.

Mr. LODGE submitted an amendment proposing to appropriate \$5,000 for necessary repairs in the harbor of Provincetown, Mass., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to increase the appropriation for the improvement of Grand River, Michigan, from \$25,000 to \$50,000, authorizing the purchase of dredge for improving said river at a cost of \$100,000, and authorizing the Secretary of War to enter into contracts for the completion of the projected improvements of Kalamazoo River and Saugatuck Harbor, in the State of Michigan, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PLATT of New York submitted an amendment proposing to appropriate \$2,000 for the salary of the consul at Teneriffe, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BATE submitted an amendment authorizing the Secretary of War to enter into contracts for the construction of locks and dams and other improvements on the Tennessee River, both above and below the city of Nashville, Tenn., and limiting the amount to be expended on such work to \$500,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MONEY submitted an amendment providing for the survey of the present channel leading from the wharf at Biloxi, Miss., to Ship Island Harbor, Mississippi, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MASON submitted an amendment providing for the survey of the Chicago River with a view of determining the need, advisability, and cost of constructing one or more turning basins in the north and south branches, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$175,000 for the repairs of the jetties at the mouth of the Brazos River, Texas, rendered necessary by the hurricane, and \$150,000 for the completion of the existing project at the mouth of the Brazos River; and also \$800,000 to pay the Brazos River Channel and Dock Company for the jetties built by that company at the mouth of the Brazos River, Texas, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. WETMORE submitted an amendment proposing to appropriate \$10,000 for improving the harbor of refuge at Block Island, R. I., and \$60,000 for extending the south jetty in the harbor at Great Salt Pond, Block Island, R. I., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment authorizing the Secretary of War to cause the engineer officer in charge of Green and Barren rivers, Kentucky, to investigate and report upon the practicability of obtaining a 6-foot navigable depth in those streams at pool stage of water, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PETTUS submitted an amendment proposing to appropriate \$91,750 for opening the outer bar at Mobile Bay 30 feet deep, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. CULBERSON submitted an amendment proposing to increase the appropriation for the maintenance and repair of the jetties at Sabine Pass, Texas and Louisiana, from \$125,000 to \$350,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

CATALOGUE OF SENATE LIBRARY.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Catalogue of the Senate Library and a Finding List of Important Serial Documents published by the Government be printed to the end of the last session of the Fifty-sixth Congress, under the direction of the Secretary of the Senate, and that the usual number of each be printed.

INSULAR TARIFF CASES.

Mr. FORAKER submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound, under the direction of the Joint Committee on Printing, 8,000 copies of the record and briefs in the following cases of the October term, 1900, in the Supreme Court of the United States, including the appendices thereto, 2,000 copies for the use of the Senate, 5,000 copies for the use of the House of Representatives, 500 copies for distribution by the Department

of Justice, and 500 copies for distribution by the clerk of the Supreme Court of the United States:

Elias S. A. De Lima et al. vs. George R. Bidwell, being case No. 456; Samuel B. Downes et al. vs. George R. Bidwell, being case No. 507; Henry W. Dooley et al. vs. The United States, being cases Nos. 501 and 502; Carlos Armstrong vs. The United States, being case No. 509; George W. Crossman et al. vs. The United States, being case No. 515; Christian Huus vs. The New York and Porto Rico Steamship Company, being case No. 514; John H. Goetze vs. The United States, being case No. 340, and Fourteen Diamond Rings, Emil J. Pepke, claimant, vs. The United States, being case No. 419.

JOHN BLAKE WHITE'S "BATTLE OF FORT MOULTRIE."

Mr. TILLMAN. Mr. President, I send to the desk a letter tendering a picture to the Senate, which, for the information of the Senate, I ask to have read.

The PRESIDENT pro tempore. The Senator from South Carolina asks that the paper which he presents be read. Is there objection?

Mr. PLATT of Connecticut. Mr. President, I think that, under our rule not to put anything in the RECORD that is not provided for by the rules, there ought to be something more than a statement by a Senator that he presents a paper which he asks to have read. We know nothing whatever of the character or contents of the paper.

Mr. TILLMAN. I have conferred with the chairman of the Committee on the Library, who has the matter in charge, and he is here ready to explain it. It is from a gentleman of New York, who last year presented three historical paintings to the Senate.

Mr. PLATT of Connecticut. I have no objection. I merely wanted to know what the paper is about.

Mr. TILLMAN. The paper itself will explain the matter, if the Senator will let it be read. It is merely a letter of tender to the Senate of a famous painting.

Mr. PLATT of Connecticut. Very well.

The PRESIDENT pro tempore. The Secretary will read the communication.

The Secretary read as follows:

1011 MADISON AVENUE, NEW YORK, January 12, 1901.

MY DEAR SIR: On the 17th of February, 1899, I had the honor to present to the Senate of the United States three historical paintings executed by my father, the late John Blake White, of South Carolina.

Although the man has long since passed away, yet his reputation, especially as an historic artist, has grown with the advance of art appreciation in his native land. His masterful treatment of epoch-making events, during the arduous years of the nation's birth, has done much and may yet do more to foster the spirit of pure patriotism which achieved our independence.

Having recently come into possession of another and still more important work of this artist, I deem it quite too precious, both as a work of art and as an authentic historic representation of a valorous incident of far-reaching influence, to remain the property of a private individual and subject to the vicissitudes of private ownership.

It portrays in a spirited manner the famous battle of Fort Moultrie, fought and won against a formidable British fleet commanded by Sir Peter Parker in the harbor of Charleston, S. C., on the 28th of June, 1776, just six days prior to the Declaration of Independence.

The faces of the chief actors are carefully executed portraits, drawn from likenesses in the possession of their families, aided by personal recollections of the artist.

Moved by the considerations I have mentioned and by filial devotion, I therefore donate this painting to the nation, to be kept in perpetuity, that the sons may know how their fathers fought to secure the precious boon of liberty.

I respectfully beg that you will, in my behalf, present the painting to the honorable the Senate of the United States as guardians of the nation, with the request that it be hung in juxtaposition to the works of the same artist previously donated.

I have the honor to be, your very obedient servant,

OCTAVIUS A. WHITE, M. D.

Hon. BENJAMIN R. TILLMAN,
United States Senator from South Carolina.

Mr. WETMORE. Mr. President, as is stated in the letter just read, about two years ago Dr. White, of New York, presented to the Senate three historical pictures by his father. Since then he has come into possession of a more valuable and more interesting picture, which he desires also to present to the Senate.

The Joint Committee on the Library, under section 1831 of the Revised Statutes, have a right to accept such pictures. I am instructed by the Joint Committee on the Library to offer the following resolution, and to ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Committee on the Library be, and it is hereby, authorized to accept, on behalf of the Senate, and cause to be suitably placed in the Senate wing of the Capitol, the historical painting known as "The Battle of Fort Moultrie," executed by John Blake White in 1815, and presented to the Senate by Dr. Octavius A. White, of New York City, in a communication to Hon. BENJAMIN R. TILLMAN dated January 12, 1901.

Resolved, That the thanks of the Senate are hereby tendered to the donor.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. CHANDLER. I ask that the resolution may go over until to-morrow.

The PRESIDENT pro tempore. The Chair is of opinion that resolutions reported from committees do not take the course of a resolution offered in the morning hour, but that they go to the Calendar. The resolution will go to the Calendar under the objection.

Mr. CHANDLER subsequently said: I ask unanimous consent

to withdraw my objection to the resolution to which I objected this morning, so that it may be acted upon to-day.

The PRESIDENT pro tempore. The Senator from New Hampshire withdraws his objection to the resolution. Is there objection to its present consideration? The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (11881) to amend an act entitled "An act for the protection of birds, preservation of game, and for the prevention of its sale during certain closed seasons in the District of Columbia;"

A bill (H. R. 12039) authorizing the Dewey Hotel Company to construct and maintain an electric and steam conduit on Stanton alley;

A bill (H. R. 13067) to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes;

A bill (H. R. 13279) to enable the directors of Providence Hospital to increase the accommodations of that institution;

A bill (H. R. 13371) to authorize advances from the Treasury of the United States for the support of the government of the District of Columbia;

A bill (H. R. 13607) to provide additional force at the workhouse and the almshouse, District of Columbia; and

A bill (H. R. 13706) regulating assessments for water mains in the District of Columbia.

The bill (H. R. 428) to amend the law establishing a port of delivery at Des Moines, Iowa, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 10305) to provide a home for aged and infirm colored people was read twice by its title, and referred to the Committee on Education and Labor.

The bill (H. R. 12396) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and to increase the salary of the commissioner of education provided for by said act, was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

EXECUTIVE SESSION.

Mr. LODGE. If the morning business is concluded—

The PRESIDENT pro tempore. The morning business is closed.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and twenty minutes spent in executive session the doors were reopened.

DEATH OF QUEEN VICTORIA.

Mr. ALLISON. Mr. President, I offer a resolution and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The Senator from Iowa submits a resolution and requests unanimous consent for its immediate consideration. The resolution will be read.

The Secretary read as follows:

Resolved, That the death of Her Royal and Imperial Majesty Victoria, of noble virtues and great renown, is sincerely deplored by the Senate of the United States of America.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President pro tempore of the Senate cause to be conveyed to the prime minister of Great Britain a suitably engrossed and duly authenticated copy of the foregoing resolution.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3313) extending the mining laws to saline lands.

The message also announced that the House had agreed to the concurrent resolution of the Senate calling for a report showing the present condition of the breakwater at Burlington, Vt., with an estimate of cost for its proper repair and completion.

The message further announced that the House had agreed to the concurrent resolution of the Senate calling for an additional estimate of the amount necessary to complete the work upon the lock and dam at Brennekes Shoals, on the Osage River, Missouri.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore.

A bill (S. 123) to amend an act entitled "An act to amend the criminal laws of the District of Columbia," approved July 8, 1898;

A bill (S. 1996) revoking and annulling the subdivision of Pencote Heights, in the District of Columbia;

A bill (S. 4816) to provide for closing of part of an alley in square 169 in the city of Washington, D. C. and for the sale thereof to the Young Men's Christian Association of the city of Washington; and

A bill (S. 5258) to allow the commutation of homestead entries in certain cases.

BALTIMORE AND POTOMAC RAILROAD COMPANY.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia, to whom were referred the amendments of the House of Representatives to the bill (S. 1929) to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes, to report back the same and to move that the Senate disagree to the House amendments and request a conference with the House on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. GALLINGER, and Mr. MARTIN were appointed.

BALTIMORE AND OHIO RAILROAD COMPANY.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom were referred the amendments of the House of Representatives to the bill (S. 2329) to provide for eliminating certain grade crossings of railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore and Ohio Railroad Company in the city of Washington, and for other purposes, to report back the same and to move that the Senate disagree to the amendments of the House of Representatives, and ask a conference on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. GALLINGER, and Mr. MARTIN were appointed.

CAYAGAN, SULU, AND SIBUTU ISLANDS.

Mr. LODGE. I have here some papers giving an account of the islands of Cayagan, Sulu, and Sibutu, which I move be printed as a document.

The motion was agreed to.

INDIANS IN THE INDIAN TERRITORY.

Mr. JONES of Arkansas. I desire to enter a motion to recommit the bill (H. R. 8966) for the relief of certain Indians in the Indian Territory who desire to sell their lands and improvements and emigrate elsewhere, and I ask that the motion to recommit may lie on the table.

The PRESIDENT pro tempore. The Senator from Arkansas enters a motion to recommit House bill 8966, and asks that it may for the present lie on the table. Is there objection? The Chair hears none.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12291) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes.

The reading of the bill was resumed, beginning with line 14, on page 67.

The next amendment of the Committee on Appropriations was, on page 70, line 21, to increase the appropriation for incidental and contingent expenses at the mint at San Francisco, Cal., from \$50,000 to \$60,000.

The amendment was agreed to.

The next amendment was, on page 72, line 19, to increase the appropriation for wages of workmen and messengers at the assay office at New York from \$27,500 to \$30,000.

The amendment was agreed to.

The next amendment was, on page 72, after line 21, to insert: Assay office at St. Louis, Mo.: For assayer in charge, \$2,000; clerk, \$1,000; in all, \$3,000.

For wages of workmen (including janitor), \$1,000.

For incidental and contingent expenses, \$750.

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 77, line 19, before the word "be," to insert "to," so as to make the clause read:

For continuing the employment of such additional temporary force of clerks, messengers, laborers, and other assistants, rendered necessary because of increased work incident to the war with Spain, as in the judgment

of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the needs of the service may demand, \$800,000, etc.

The amendment was agreed to.

The next amendment was, on page 80, line 7, to increase the number of clerks of class 4 in the office of the Commissary-General from 1 to 2; in line 8, to increase the number of clerks of class 3 from 3 to 4; in the same line, to increase the number of clerks of class 2 from 4 to 5; and, in line 11, to increase the total appropriation for the maintenance of the office of the Commissary-General from \$42,760 to \$43,960.

The amendment was agreed to.

The next amendment was, on page 83, line 11, before the word "dollars," to strike out "one thousand five hundred" and insert "three thousand," and, in line 15, before the word "dollars," to strike out "thirteen thousand five hundred" and insert "fifteen thousand;" so as to make the clause read:

For rent of buildings for use of the War Department, as follows: For medical dispensary, Surgeon-General's Office, \$1,000; for Paymaster-General's and Ordnance offices, \$1,800; for depot quartermaster's office, \$3,000; for War Department (Lemon Building), \$6,000; for Record and Pension Office, \$3,200; in all, \$15,000.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 87, line 25, to increase the number of clerks of class 2 in the Office of Naval Records of the Rebellion from 2 to 3, and, in line 5, to increase the total appropriation for the maintenance of the Office of Naval Records of the Rebellion from \$16,090 to \$17,490.

The amendment was agreed to.

The next amendment was, on page 88, line 14, after the word "dollars," to insert "1 draftsman, who shall be an expert in marine construction, \$2,000;" in line 17, after the word "dollars," to insert "1 clerk of class 3;" and, in line 20, before the word "hundred," to strike out "ten thousand six" and insert "fourteen thousand two;" so as to make the clause read:

Bureau of Equipment: For chief clerk, \$2,000; 1 draftsman, who shall be an expert in marine construction, \$2,000; 1 clerk of class 4; 1 electrical expert and draftsman, \$1,600; 1 clerk of class 3; 1 clerk of class 2; 1 clerk of class 1; 1 copyist; 1 assistant messenger; 1 messenger boy, \$300, and 1 laborer; in all, \$14,240.

The amendment was agreed to.

The next amendment was, on page 91, line 16, before the word "librarian," to strike out "assistant;" in the same line, before the word "hundred," to strike out "two" and insert "four;" in line 18, after the word "each," to strike out "one skilled laborer, \$720," and insert "assistant on equatorial, \$1,000; assistant in spectroscopic work, \$1,000;" in line 23, before the word "laborers," to strike out "ten" and insert "nine;" and in line 24, before the word "dollars," to strike out "thirty-seven thousand five hundred and twenty" and insert "thirty-eight thousand three hundred and forty;" so as to make the clause read:

Naval Observatory: For pay of 3 assistant astronomers, 1 at \$2,000 and 2 at \$1,800 each; 1 clerk of class 4; 1 clerk of class 1; instrument maker, \$1,500; electrician, \$1,500; photographer, \$1,200; 5 computers, at \$1,200 each; librarian, \$1,400; foreman and captain of the watch, \$1,000; carpenter and engineer, at \$1,000 each; assistant on equatorial, \$1,000; assistant in spectroscopic work, \$1,000; 3 firemen; 6 watchmen; elevator conductor, \$720; and 9 laborers; in all, \$38,340.

Mr. MORGAN. I wish to ask the chairman of the committee why an assistant in spectroscopic work is provided for in the bill. I am informed upon very high authority that recent reports of the Observatory do not show that any of this kind of work has been done there.

Mr. ALLISON. The chief astronomer of the Observatory not only wrote a letter on this subject, but he also appeared before us and said this was a necessary provision to make. The Superintendent of the Observatory approved it.

Mr. MORGAN. Is there any such officer as chief astronomer?

Mr. ALLISON. I do not know that there is any such office.

Mr. MORGAN. I do not find any designation of that kind in the bill.

Mr. ALLISON. The professor in charge of the astronomical work, Professor Brown, is the gentleman who came before us.

Mr. MORGAN. I have drawn attention to this subject, not that I propose to move any amendment that would disturb the order of the bill, unless the Senator from Iowa thinks it ought to be done; but I want to call the attention of the Senate to the fact that this great Observatory is without any real organization in law, and it is a haphazard, piecemeal sort of arrangement by which it has been put under the Navy Department. It was first called the National Observatory of the United States. It was afterwards called the Naval Observatory of the United States, and was put under the Navy Department. No head or management of the Observatory, as I understand it, has ever been appointed or given the direction of it, but an officer of the Navy is detailed to take charge of the Observatory from time to time, who controls this matter. However, it is not a military office in any sense of the word, and it does not follow that a man educated at Annapo-

lis has any very special training in astronomy. It seems to me that that great institution is very badly crippled for want of a proper organization.

We have here upon the recommendation of what is called the chief astronomer a provision by which an assistant spectroscopist is to be appointed, and yet they have made no reports recently of any work of that kind in the observatory. I suppose there must be work of that kind going on, but the reports ought to show it if they are of any value at all.

Now, this great Observatory, perhaps the largest national observatory in the world—I think it is the largest one in the world—not larger, perhaps, though more costly, than some of the private observatories—has cost the Government of the United States for the site, buildings, grounds, and outfit \$655,845, and the roads, pathways, and gradings \$95,900, making a total cost of \$751,745.

As I understand it, the observatory does not have the rank amongst the observatories of the United States that it ought to have. There is very valuable work done there, a great deal of it, no doubt, but simply for the want of proper organization the work has not been conducted in the way it ought to be. I have introduced a bill in the Senate to organize the Observatory, for it has never had any organization.

I wanted to call the attention of the chairman of the committee to this particular appropriation, with a view of drawing out some expression from him, or from some one who is informed particularly on the subject, about certain points. Congress, it seems, has neither defined the objects for which the Observatory was founded, made any provision for its control, or appointed any authority to determine what it should do or to report upon its work, nor assigned to it any public function. What the Navy Department has been able to do is to provide for its government as a naval station, appoint an officer to command it, detail professors in the Navy for duty, give to the senior of these professors the title of astronomical director, and charge him with the duty of determining what astronomical work shall be done. But, as far as known, it has never been able to provide the head of the establishment, or the astronomical director, with any instructions or suggestions as to what the Observatory should do.

I am willing that this assistant spectroscopist shall be appointed and that he shall have the salary proposed to be paid under this proposed act, at the present time, because it seems that everything which is suggested here by a naval officer who is connected with the Observatory goes without any regulations of law at all. There is no law to regulate the National Observatory.

I trust the Senator from Iowa will explain to us what is the necessity for this provision.

Mr. CHANDLER. Mr. President, I am very glad that this subject has attracted the attention of the Senator from Alabama. The Senator will find a report from the Naval Committee accompanying a bill for the reorganization of the Naval Observatory.

Mr. MORGAN. I have seen that report.

Mr. CHANDLER. That bill was the fruit of a careful investigation made by a board of visitors consisting of three eminent astronomers, a Senator, and a member of the House of Representatives, who visited the Observatory a year ago last summer. I ask the Senator to look at the report of that board.

Mr. MORGAN. I have examined the report.

Mr. CHANDLER. And also I will commend to him as a very clear and candid exposition of the whole subject, in addition to the report, some remarks of mine made last winter. They are lengthy, but they are instructive; and when the naval appropriation bill comes up I hope the Senator will aid myself and the committee in securing some appropriate legislation to improve the management of the Observatory; but it is not proposed by that bill to take the Observatory wholly away from naval control. It is proposed to establish a permanent board of visitors, on which shall be some of the most eminent astronomers, and also to make the astronomical corps a corps of civil officers, instead of a corps of life officers in the Navy. There are other incidental improvements of administration which are recommended. I hope there will be some legislation on the subject.

There is not, I will add, perfect satisfaction among the astronomers of the country with the work of the National Observatory; and it was that dissatisfaction which led to the appointment of this board of visitors.

The subject is worthy of the very careful consideration of the Senate and of Congress, but not, I submit to the Senator from Alabama, in connection with this appropriation, which must be made.

Mr. MORGAN. I was quite aware of that.

Mr. CHANDLER. I wish further to say that the recommendations of a slight enlargement of the appropriation of last year for the special work alluded to in this bill as it now stands are, in my opinion, very judicious, and I hope the Senator from Alabama will not endeavor to prevent their adoption.

Mr. MORGAN. No, Mr. President, I did not set out with a view of preventing the adoption of this particular amendment,

but to call attention to the want of organization of the National Observatory, or the Naval Observatory, as we call it.

I remember distinctly and well the very able and learned speech made by the Senator from New Hampshire [Mr. CHANDLER] on the subject, and I think every other Senator remembers it. It gave great gratification to the Senate and the country, as did the report to which the Senator refers. My attention was drawn to this subject by that report and by the Senator's remarks, and I took it upon myself to confer with some gentlemen of eminence as astronomers to ascertain what their views were upon the subject of the reorganization of the Naval Observatory.

Mr. CHANDLER. And the bill introduced by the Senator on the subject is now before the Naval Committee.

Mr. MORGAN. Yes; and I hope the committee will give attention to it.

Mr. ALLISON. Just one word. Professor Brown, who appeared before the committee to explain this matter, called attention to the fact that the "assistant on equatorial" was a highly skilled and well-educated astronomer, and a young man who had ambition in that direction. He was borne on the rolls and is now borne on the rolls as a skilled laborer at \$720 a year. The other, the "assistant in spectroscopic work," named here, is on the rolls as a skilled laborer at \$720 a year. The committee, upon its own volition, after seeing the changes which were necessary to be made, believed that these two young men, both highly educated, and skilled in the special work to which they are assigned, should have increased compensation, and so we made this change to slightly increase their compensation.

Mr. GALLINGER. What is the proposed increase?

Mr. ALLISON. From \$720 to \$1,000 a year each. That is all there is in the amendment. We reduce the number of laborers.

Mr. MORGAN. I did not rise to make any reflection upon the amendment.

Mr. ALLISON. I agree with the Senator that it may be necessary to reorganize the Naval Observatory. That has been in contemplation for some years; but, of course, it can not properly be done at this time on an appropriation bill.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. ALLISON. On page 93, line 11, after the words "one thousand," I move to insert "two hundred;" so as to make the appropriation for the salary of the assistant draftsman in the Bureau of Steam Engineering \$1,200.

The amendment was agreed to.

Mr. ALLISON. I now move, in line 13, to change the total of the appropriation for the Bureau of Steam Engineering from \$12,540 to \$12,740 to correspond with the amendment just made.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. ALLISON. On behalf of the Committee on Appropriations, on page 94, line 3, in the clause making appropriations for the "Bureau of Supplies and Accounts," I move to strike out the word "two," where it first occurs, and insert "three;" in line 4, before the words "clerks of class 1," to strike out "eleven" and insert "ten;" and in line 7, after the word "thousand," to strike out "six" and insert "eight."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 94, line 3, before the words "clerks of class 2," it is proposed to strike out "two" and insert "three;" in line 4, before the words "clerks of class 1," to strike out "eleven" and insert "ten;" and in line 7, after the word "thousand," to strike out "six" and insert "eight;" so as to make the clause read:

Bureau of Supplies and Accounts: For chief clerk, \$2,000; 3 clerks of class 4; 6 clerks of class 3; 3 clerks of class 2; 2 stenographers, at \$1,400 each; 10 clerks of class 1; 5 clerks, at \$1,000 each; 1 assistant messenger; 1 messenger boy, \$420, and 1 laborer; in all, \$42,800.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Department of the Interior," on page 95, line 11, to increase the appropriation for salary of the chief clerk as superintendent of the Patent Office building and other buildings of the Department of the Interior, from "\$250 additional" to "\$500 additional;" on page 96, line 8, to increase the number of clerks of class 4 in the office of the Secretary of the Interior, from "12" to "14;" in the same line, to increase the number of "clerks of class 3" from "11" to "14;" in line 9, to increase the number of "clerks of class 2" from "13" to "18;" in the same line, to increase the number of "clerks of class 1" from "27" to "28;" in line 14 to increase the number of "clerks at \$1,000 each" from "2" to "5;" and on page 97, line 5, to increase the total appropriation for maintenance of the office of the Secretary of the Interior, from \$249,060 to \$268,910.

The amendment was agreed to.

Mr. ALLISON. On page 95, line 23, before the words "special inspectors," I move to strike out "two" and insert "four."

The amendment was agreed to.

Mr. ALLISON. On page 97, line 6, before the word "thousand," I move to strike out "sixty-eight" and insert "seventy-three," so

as to increase the total of the appropriations for the office of the Secretary of the Interior, in accordance with the amendment just made, from "\$268,910" to "\$273,910."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 97, line 23, after the word "dollars," to insert "assistant attorney, \$2,750;" in line 24, before the word "assistant," to strike out "four" and insert "three;" on page 98, line 1, after the word "each," to strike out "additional to one assistant attorney, \$250;" so as to make the clause read:

Office of Assistant Attorney-General: For assistant attorney, \$3,000; assistant attorney, \$2,750; 3 assistant attorneys, at \$2,500 each; 4 assistant attorneys, at \$2,250 each; 10 assistant attorneys, at \$2,000 each; 4 clerks of class 3, 1 of whom shall act as stenographer and 1 of whom shall be a stenographer and typewriter; 1 clerk of class 1; in all, \$49,850.

The amendment was agreed to.

The next amendment was, on page 101, line 13, before the word "clerks," to strike out "fourteen" and insert "fifteen;" in line 23, before the word "assistant," to strike out "two" and insert "four;" in line 23, before the word "laborers," to strike out "two" and insert "three;" in the same line, after the word "laborers," to strike out "female messenger, \$840;" in line 24, after the word "dollars," to insert "4 charwomen;" and on page 102, line 2, before the word "dollars," to strike out "thirty-four thousand five hundred" and insert "thirty-eight thousand three hundred and twenty;" so as to make the clause read:

Indian office: For the Commissioner of Indian Affairs, \$4,000; Assistant Commissioner, who shall also perform the duties of chief clerk, \$3,000; financial clerk, \$2,000; chief of division, \$2,000; principal bookkeeper, \$1,800; 5 clerks of class 4; 15 clerks of class 3; draftsman, \$1,600; draftsman, \$1,500; architect, \$1,500; stenographer, \$1,400; stenographer, \$1,400; 11 clerks of class 2; 26 clerks of class 1; 14 clerks, at \$1,000 each; 1 stenographer, and 1 clerk to superintendent of Indian schools, at \$1,000 each; 17 copyists; 1 messenger; 4 assistant messengers; 3 laborers; messenger boy, \$360; 4 charwomen; in all, \$138,320.

The amendment was agreed to.

The next amendment was, on page 103, line 6, to increase the appropriation for the salary of "captain of the watch of the Pension Office," from "\$840" to "\$900," and in line 10, to increase the total appropriation for the maintenance of the Pension Office, from \$1,971,210 to \$1,971,270.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 106, after line 6, to insert:

For equipment of new scientific library rooms with steel stacks and other fireproof and labor-saving furniture and apparatus, \$5,000.

The amendment was agreed to.

The next amendment was, on page 107, line 12, to increase the appropriation for the salary of the Commissioner of Education from "\$3,000" to "\$3,500," and on page 108, line 3, to increase the total appropriation for the maintenance of the Bureau of Education, from "\$51,820" to "\$52,320."

The amendment was agreed to.

Mr. ALLISON. I move to insert before the word "educational," at the beginning of line 19, on page 107, the words "Spanish-American;" in the same line, before the word "hundred," to strike out "four" and insert "six;" and on page 108, line 3, before the word "hundred," to strike out "three" and insert "five;" so as to make the total \$52,520.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 108, line 18, after the word "periodicals," to insert "newspapers;" and in line 20, after the word "of," to insert "books, and;" so as to make the clause read:

For books for library, current educational periodicals, newspapers, other current publications, and completing valuable sets of books, and periodicals, \$250.

The amendment was agreed to.

Mr. ALLISON. On page 109, after line 5, on behalf of the committee, I move to insert what I send to the desk, as a new clause.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The amendment will be stated.

The SECRETARY. After line 5, on page 109, it is proposed to insert:

Office of the Commissioner of Railroads: For commissioner, \$4,500; 1 clerk of class 2; 1 clerk, \$1,000; 1 assistant messenger; in all, \$7,620: *Provided*, That the office of Commissioner of Railroads is hereby continued until the 30th day of June, 1902, when the same shall terminate, and the duties of the commissioner shall be transferred to the Secretary of the Interior, together with the records and files of the office.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 111, line 8, to increase the appropriation for clerks in the office of the surveyor-general and ex officio secretary of the district of Alaska from \$3,000 to \$5,000, and, in the same line, to increase the total appropriation for the office of the surveyor-general and ex officio secretary of the district of Alaska from \$7,000 to \$9,000.

The amendment was agreed to.

The next amendment was, on page 112, line 5, to increase the appropriation for clerks in the office of the surveyor-general of

Colorado from \$10,000 to \$11,500, and, in line 6, to increase the total appropriation for the maintenance of the office of the surveyor-general of Colorado from \$12,000 to \$13,500.

The amendment was agreed to.

The next amendment was, on page 112, line 19, to increase the appropriation for clerks in the office of the surveyor-general of Idaho from \$8,000 to \$9,000, and, in line 20, to increase the total appropriation for the maintenance of the office of the surveyor-general of Idaho from \$10,000 to \$11,000.

The amendment was agreed to.

The next amendment was, on page 113, line 14, to increase the appropriation for clerks in the office of the surveyor-general of Montana from \$11,000 to \$12,000, and, in line 15, to increase the total appropriation for the maintenance of the office of surveyor-general of Montana from \$13,000 to \$14,000.

The amendment was agreed to.

The next amendment was, on page 113, line 21, to increase the appropriation for clerk in the office of the surveyor-general of Nevada from \$1,500 to \$2,500, and, in line 22, to increase the total appropriation for the maintenance of the office of surveyor-general of Nevada from \$3,300 to \$4,300.

The amendment was agreed to.

The reading of the bill was continued to the end of line 11, on page 115.

Mr. ALLISON. On page 115, line 10, I move to strike out "eight" and insert "ten," and in line 11 to strike out "ten" and insert "twelve."

The PRESIDING OFFICER. The Senator from Iowa proposes an amendment, which will be stated.

The SECRETARY. In line 10, page 115, it is proposed to strike out "eight" and insert "ten," and in line 11 to strike out "ten" and insert "twelve;" so as to read:

For surveyor-general of Utah, \$2,000; and for the clerks in his office, \$10,000; in all, \$12,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was on page 115, line 18, to increase the appropriation for clerks in the office of the surveyor-general of Washington from \$8,800 to \$9,400, and in line 19 to increase the total appropriation for office of the surveyor-general of Washington from \$10,800 to \$11,400.

The amendment was agreed to.

The next amendment was, on page 115, line 25, after the word "office," to strike out "six thousand three" and insert "seven thousand two;" in line 2, page 116, before the word "hundred," to strike out "eight thousand three" and insert "nine thousand two;" and in line 7, before the word "dollars," to insert "three hundred and fifteen;" so as to read:

For surveyor-general of Wyoming, \$2,000; and for the clerks in his office, \$7,200; in all, \$9,200.

For rent of office for the surveyor-general, pay of messenger, stationery and supplies, lights, ice, post-office box rent, drafting instruments, mounting maps, towels, books of reference for office use, and other incidental expenses, \$1,315.

The amendment was agreed to.

The next amendment was, on page 119, line 23, to increase the number of clerks of class 4 in the office of the Third Assistant Postmaster-General from 5 to 6; in line 24 to increase the number of clerks of class 1 from 26 to 27; in line 25 to increase the number of clerks at \$1,000 each from 13 to 14; on page 120, line 1, to increase the number of assistant messengers from 3 to 4; and in line 3 to increase the total appropriation for the maintenance of the office of the Third Assistant Postmaster-General from \$157,650 to \$162,770.

The amendment was agreed to.

The next amendment was, on page 120, line 8, to reduce the maximum per diem allowance for assistant superintendents of registry system, when actually traveling on business of the Department, from \$4 to \$3 per day.

The amendment was agreed to.

The next amendment was, on page 121, line 20, to increase the appropriation for the salary of one electrician in the office of the disbursing clerk from \$1,200 to \$1,400; and on page 122, line 11, to increase the total appropriation for the maintenance of the office of the disbursing clerk from \$93,280 to \$93,480.

The amendment was agreed to.

The next amendment was, on page 123, line 12, before the word "dollars," to strike out "one thousand five hundred" and insert "two thousand;" in line 14, before the word "dollars," to insert "five hundred;" in line 16, before the word "hundred," to strike out "eight" and insert "nine;" and in line 17, after the word "dollars," to insert "including \$100 for the office of the Auditor for the Post-Office Department;" so as to make the clause read:

For miscellaneous items, including \$2,000 for the office of the Auditor of the Post-Office Department, \$15,500, of which sum not exceeding \$3,985 may be expended for telephone service, and not exceeding \$900, including \$100 for the office of the Auditor for the Post-Office Department, may be expended for law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the Department.

The amendment was agreed to.

The next amendment was, on page 126, line 23, after the word "dollars," to insert "law clerk, \$2,000;" and on page 127, line 2, before the word "thousand," to strike out "twenty-eight" and insert "thirty;" so as to make the clause read:

Office of the Solicitor of the Treasury: For Solicitor of the Treasury, \$4,500; assistant solicitor, \$3,000; chief clerk, \$2,000; law clerk, \$2,000; 4 clerks of class 4; 4 clerks of class 3; 3 clerks of class 2; 1 assistant messenger; and 1 laborer; in all, \$30,680.

Mr. ALLISON. I move to amend the amendment by striking out "four," in line 24, and inserting "three;" and in line 2, page 127, by striking out "\$30,680" and inserting "\$29,080."

The SECRETARY. On page 126, line 24, it is proposed to strike out "four" and insert "three;" and on page 127, line 2, to strike out "\$30,680" and insert "\$29,080;" so as to make the clause read:

Office of the Solicitor of the Treasury: For Solicitor of the Treasury, \$4,500; assistant solicitor, \$3,000; chief clerk, \$2,000; law clerk, \$2,000; 4 clerks of class 4, 3 clerks of class 3, 3 clerks of class 2, 1 assistant messenger, and 1 laborer; in all, \$29,080.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. RAWLINS. I should like to invite the attention of the Senator in charge of this bill to page 115. I see we have passed over the provision commencing in line 10 on that page.

Mr. ALLISON. I have moved and the Senate has inserted the amendment suggested by the Senator some time ago.

Mr. RAWLINS. Increasing the appropriation from \$8,000 to \$10,000?

Mr. ALLISON. Striking out "eight" and inserting "ten."

Mr. JONES of Arkansas. Was there an agreement that committee amendments should all be disposed of before any others should be taken up?

Mr. ALLISON. There was.

Mr. JONES of Arkansas. I wish to offer an amendment to a part of the bill which has been passed over, and I desire to reserve my right.

Mr. ALLISON. We will be through with the reading of the bill in a moment.

The PRESIDENT pro tempore. Unanimous consent was given that committee amendments should first receive consideration.

The reading of the bill was resumed and continued to the end of line 11, on page 128.

Mr. BUTLER. I should like to ask the Senator in charge of the bill what the appropriation in line 11 is for. It says for "procuring strike data."

Mr. ALLISON. The Commissioner of Labor has had under investigation the question of strikes. It is not quite completed, and it is intended to expend this money, if necessary, to complete the data. It pertains to our country, and I think he has some information in reference to other countries.

Mr. BUTLER. It is to be expended for newspapers. Can the Senator tell what kind of newspapers will be subscribed for in order to secure information, and where they are located?

Mr. ALLISON. I should think it would be expended in the purchase of newspapers that describe strikes. I am not sure about the details. I should think that would be the way it would be done. The Commissioner of Labor is investigating this subject, and I think has made one report upon it.

Mr. GALLINGER. He has.

Mr. ALLISON. And probably he will make another one.

Mr. BUTLER. It is a peculiar provision. If we are to have a report it will be based on certain newspaper information it seems.

Mr. ALLISON. It will cost only \$100 in all. I think the Commissioner of Labor can be trusted with that sum of money for that purpose.

Mr. BUTLER. It is not the amount. It is more the source of information from which we are to get a report on strikes.

Mr. ALLISON. I suppose he will verify the report in this matter as in other matters.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 130, line 8, to increase the appropriation for the salary of the reporter of the United States district court for the Territory of Hawaii from \$1,200 to \$1,500; and in line 9 to increase the total appropriation for maintenance, district court, Territory of Hawaii, from \$4,200 to \$4,500.

The amendment was agreed to.

The next amendment was, on page 131, line 5, after the word "and," to strike out "one" and insert "two;" so as to make the clause read:

To enable the Attorney-General to employ such assistant attorneys, agents, stenographers, and experts to aid the United States attorney for said court as may be necessary to conduct the business of the Court of Private Land Claims during the fiscal year 1902, \$5,000.

The amendment was agreed to.

The next amendment was, on page 131, line 12, to increase the appropriation for the salary of reporter, court of appeals, District of Columbia, from \$1,000 to \$1,500.

The amendment was agreed to.

The next amendment was, on page 131, line 18, to increase the

total appropriation for the maintenance of the court of appeals, District of Columbia, from \$25,720 to \$26,220.

The amendment was agreed to.

The next amendment was, in the items for commissioners, Yellowstone Park, on page 132, after line 15, to insert:

For contingent fund for commissioner's office, including fuel, furniture, and necessary miscellaneous expenses, \$250.

The amendment was agreed to.

The next amendment was, on page 132, line 21, to increase the appropriation for the salary of the chief clerk of the Court of Claims from \$3,000 to \$3,500, and on page 133, line 5, to increase the total appropriation for the maintenance of the Court of Claims from \$44,540 to \$45,040.

The amendment was agreed to.

The next amendment was, on page 134, line 14, after the word "competent," to insert the following proviso:

Provided, That such temporary clerks who have been in the service of the Government for two years, and who have demonstrated their efficiency, may, in the discretion of the Secretary of the Department in which they are employed, be appointed to fill vacancies in the classified service whenever such vacancies occur.

Mr. LODGE. Mr. President, against that amendment I make the point of order. It is clearly new legislation and a change in the existing law.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. ALLISON. I am sorry.

The Secretary resumed and concluded the reading of the bill.

Mr. ALLISON. I ask attention to page 130. In the items for the office of the Fourth Assistant Postmaster-General, line 21, page 120, I move to strike out "nine" before "clerks" and insert "twelve;" so as to read:

Twelve clerks, at \$1,000 each.

The amendment was agreed to.

Mr. ALLISON. In line 25, I move to strike out "eleven," before "thousand," and insert "fourteen;" so as to read:

In all, \$114,500.

The amendment was agreed to.

Mr. ALLISON. On page 5, after line 16, I move to insert:

For additional amount for the clerk to the Committee on Rules for revising and preparing for publication biennially, under the direction of the committee, the Senate Manual, \$1,000.

The amendment was agreed to.

Mr. ALLISON. On page 60, in the items for the office of the Commissioner of Internal Revenue, in line 18, after the word "of," I move to insert:

Sixteen additional agents, to be appointed under the provision of section 3 of said act, in lieu of the

So as to read:

And for salaries and expenses of sixteen additional agents, to be appointed under the provision of section 3 of said act, in lieu of the ten additional agents provided for in section 3, etc.

On the same page, in line 21, I move to strike out, before "thousand," the words "six hundred and fifty" and insert "four hundred;" so as to read "\$400,000."

This amendment is recommended by the Commissioner of Internal Revenue.

The amendment was agreed to.

Mr. ALLISON. On page 62, I move to insert several amendments. They relate to the office of assistant treasurer at Cincinnati. They slightly increase the total amount, but the arrangement of clerks and employees is changed according to the estimates of the Secretary of the Treasury. On page 62, line 22, after the word "thousand," where it first occurs, I move to insert "two hundred and fifty;" so as to read:

Cashier, \$2,250.

The amendment was agreed to.

Mr. ALLISON. In line 24, I move to strike out the words "2 clerks, at \$1,200 each," and to insert in lieu thereof:

Paying teller, \$1,500; coin and exchange teller, \$1,200.

The amendment was agreed to.

Mr. ALLISON. On page 63, lines 3 and 4, I move to strike out the words:

Two night watchmen, at \$720 each.

And to insert in lieu thereof:

Clerk and watchman, \$840; night watchman, \$600.

The amendment was agreed to.

Mr. ALLISON. In line 4, on the same page, I move to strike out "six hundred" and insert "seven hundred and twenty" before the word "dollars;" so as to read:

Messenger, \$720.

The amendment was agreed to.

Mr. ALLISON. In line 5 I move to change the total from "\$19,360" to "\$20,030."

The amendment was agreed to.

Mr. ALLISON. I have no further amendments to present.

Mr. JONES of Arkansas. I move, on page 126, after line 2, to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. After line 2, page 126, insert:

To authorize the Attorney-General to employ an additional assistant attorney to be assigned to represent the United States before committees of the Senate or House of Representatives in relation to bills for the payment or allowance of claims against the United States, \$3,000. Records or minutes of the cases in which such attorney appears shall be kept in the Department of Justice, which shall show briefly the name of the claimant, amount of claim, and the facts on which the claim is based, with a memorandum of the defenses of the Government against such claims, together with the action of Congress thereon.

Mr. JONES of Arkansas. Mr. President, every Senator who has served upon the Committee on Claims or the Committee on Indian Affairs, or other similar committees in the Senate, will recognize the fact that members of those committees are expected to act practically as attorneys for the Government and as judges in all the cases of large claims that are presented here against the Government. There are always attorneys employed to represent the side of claimants. They present only so much of the claims as is absolutely necessary to make their case out. They present nothing that will be a defense on the part of the Government. No one can blame those people for making their cases out as strong as they can make them. It is absolutely impossible for members of the committee to find the facts or to keep the facts together which are necessary to defend the Government against these claims.

I have myself seen instances of gross injustice done the Government by the passage of claims of this kind, where if there had been an attorney whose duty it was to make up and present the defense of the Government upon the request of the chairman of the committee, justice would have been done, and the Government would have been protected against injustice. I believe, and I have believed for years, that it is necessary to have such an officer, who shall be summoned by the chairman of the committee or by the committee itself, to present the defense of the Government against claims of this kind when they are presented, so that whatever defense the Government may have against the claims shall be fairly understood.

In many of these cases when a committee has gone into it fully and understands whatever of defense there is against the claim it will be dropped, it will not be prosecuted, it will pass out of mind. There is no record kept of the defense for the Government, as there is no record kept of what is in the minds of members of the committee which would show that the claim ought not to be paid.

If this amendment passes, there will be an officer whose duty it is to keep a record of matters of this kind in the Department of Justice, so that whenever a claim has been disposed of adversely at one time it can not be brought up again on an ex parte showing and have the claim allowed simply because no one happens to be on the committee who is familiar with the facts. It is an economy to have this done. It should have been done years ago, and I hope there will be no objection to it on the part of any member of the committee or on the part of any Senator.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Arkansas.

Mr. CHANDLER. Mr. President, I desire to speak to the amendment. I am not prepared to oppose the amendment, and yet it is a new and unusual thing. Here is a proposition to require practically the executive department of the Government to employ counsel to appear for the Government before committees of the legislative department of the Government. It seems to me that that is unnecessary. Any committee of this body has the right now to send, not for a particular officer of the Government, but for any officer of the Government, to furnish all the information within the possession of the executive branch concerning any particular claim. We have full power. We can exhaust the resources of the executive and bring before the committees everything which the records and archives of the Government can furnish connected with a claim.

Now, Mr. President, having this authority, it does not occur to me that we ought to provide by statute for an assistant attorney-general whose business it shall be to appear before committees of Congress. I am not certain that it might not work well in practice, but I am extremely suspicious of all attempts to commingle the powers of the various branches of the Government. I hesitate very much about agreeing to the amendment. Has it been considered by the committee, I will ask the Senator from Arkansas?

Mr. JONES of Arkansas. It was considered by the Committee on Indian Affairs in connection with one of these claims and was unanimously recommended by that committee.

Mr. CHANDLER. Mr. President, I would be willing to vote, of course, \$3,000 for the salary of another assistant attorney-general if the Attorney-General should say, "I want such an officer, because I have occasion to send information to the committees of Congress and to present the views of the Government in opposition to claims against the Government." I should say

then, furnish him the additional officer. But providing by law that the executive branch of the Government shall defend a claim pending before a committee of Congress, making a docket of such proceedings, is so unusual that I am constrained to believe it is unwise.

Mr. JONES of Arkansas. The proposition in the amendment is that this officer, an assistant attorney—not an assistant attorney-general, but an attorney—shall be employed by the Department of Justice, who shall, on the request of a committee or the chairman of the committee, appear for the purpose of presenting the Government's side of one of these claims.

Mr. PLATT of Connecticut. Mr. President, I hope this amendment will be adopted. Claims that are meritorious are often refused by Congress for the reason that they are not carefully examined and can not be carefully examined, while claims that are not meritorious are pushed through Congress upon a one-sided, specious presentation of the case. Any Senator who has been on a committee before which claims have been pending against the Government has felt the necessity of having some one upon whom he or the committee could call to give all the facts in the case on the Government's side of it. We get all the facts on the claimant's side, and we get them presented very skillfully and very plausibly, but we get nothing of the facts on the Government's side of the case.

I think that an officer of this sort, upon whom we might call, would facilitate the payment of honest claims against the Government and would do very much to prevent the passage of claims which ought not to be passed.

Mr. McCOMAS. May I ask the Senator a question before he takes his seat? Why should not such claims, with a prima facie appearance of right, be sent to the Court of Claims, where the Government has ample attorneys for that purpose?

Mr. PLATT of Connecticut. The Committee on Claims reported here last year a bill, I think, of eight or ten million dollars—something of that sort. These claims come to Congress. A good many of them are sent to the Court of Claims, but it is impossible to send all of them there. A great many of them have to be passed upon by Congress. I do not think this would interfere with the executive department any more than if a committee should send for any officer of an Executive Department, as the Senator from New Hampshire says we have a right to send.

Mr. McCOMAS. If a dozen committees should meet on the same morning and should want an attorney, it would scarcely be very effective to assist a dozen committees.

Mr. PLATT of Connecticut. The attorney would at least do this: He would know the claims that are pending before Congress, and in the vacation he would be devoting his attention to those claims to find out whether they were supported by facts on which payments ought to be made.

Mr. TELLER. Mr. President, I wish to suggest to the Senator moving the amendment that he amend it so that this officer shall appear before a committee only at the invitation of the committee.

Mr. JONES of Arkansas. That was the intention, and if it is not so expressed in the amendment, I simply omitted it. Let the words "at the request of any committee of either the Senate or the House" be inserted.

Mr. TELLER. That should be done. He should not be required to come simply because there is a claim pending.

Mr. JONES of Arkansas. Certainly not. I never intended it that way.

Mr. CHANDLER. It is so provided.

Mr. TELLER. It is not so provided in the amendment.

Mr. CHANDLER. I understood it to be provided that he should come at the request of a committee.

Mr. JONES of Arkansas. That is what I intended.

Mr. TELLER. I read it over hastily, but I do not think you will find that that will be the inference.

Mr. JONES of Arkansas. If it is not so expressed, I intended it to be, and I will accept the suggestion. It should read, "at the request of committees of either the Senate or the House."

The PRESIDENT pro tempore. The amendment will be again read to the Senate.

The Secretary read the amendment, as follows:

To authorize the Attorney-General to employ an additional assistant attorney to be assigned to represent the United States before committees of the Senate or House of Representatives in relation to bills for the payment or allowance of claims against the United States, \$3,000. Records or minutes of the cases in which such attorney appears shall be kept in the Department of Justice, which shall show briefly the name of the claimant, amount of claim, and the facts on which the claim is based, with a memorandum of the defenses of the Government against such claims, together with the action of Congress thereon.

Mr. JONES of Arkansas. I agree with the Senator from Colorado.

Mr. TELLER. It should be changed in that way.

The PRESIDENT pro tempore. The Senator from Arkansas modifies his amendment.

Mr. CHANDLER. Mr. President, I still warn Senators that

they are building up a most extraordinary bureau in the Attorney-General's Office. The assistant attorney-general will soon want an assistant attorney. I do not know what an assistant attorney of the United States is. The language is peculiar in that respect. He should be, of course, an assistant attorney-general, if he is to appear in this way.

There will soon be required an assistant to the assistant and a clerk. We shall soon have in the Attorney-General's Office a bureau for the defense of claims pending before the committees of the two Houses of Congress, and to that extent the various Departments will be relieved of the responsibility of placing the facts constituting the defense of claims before the committees of the two Houses. You will immediately, when you establish this bureau, relieve the Secretary of the Interior and the Secretary of War from the duty of watching unjust claims that are pending before Congress and are being investigated by committees, and you will transfer that to this new and extraordinary branch or bureau or office of the executive department of the Government of the United States.

Mr. President, I venture to say that it is an anomaly which does not exist anywhere in any government, where the legislative branch of the government insists upon having provided a particular attorney for the executive branch of the government to appear before the legislative branch of the government in the defense of claims. We substitute for all the Secretaries and all the subordinate officers of the various Departments one assistant attorney at a salary of \$3,000, and put upon him the responsibility of appearing to communicate to Congress the facts constituting the defenses to these claims.

Now, Mr. President, beware of the beginnings of a movement of this kind. If the Attorney-General finds so much is wanted of him in connection with claims pending here that he needs another assistant attorney-general, let us give it to him; but the amendment of the Senator from Arkansas proposes to transfer to the Department of Justice from the various heads of the Departments their duty of notifying committees and to put upon the Department of Justice the duty of presenting the defenses of the Government.

I insist upon it that that responsibility ought not to be taken from the various Secretaries and transferred to the Department of Justice, but that the power of Congress over all the Departments of the Government and over every officer of all the Departments of the Government should be maintained without concentrating the defense of claims in one assistant attorney.

I repeat, Mr. President, one man will prove entirely inadequate to this work. If we go on according to the spirit and intention of the amendment proposed by the Senator from Arkansas, we are establishing an executive bureau of the Government whose sole business it shall be to defend claims against the Government pending in the legislative branch.

Mr. STEWART. Mr. President, I regret that there should be any opposition to this amendment. I have been on the Committee on Claims for many years. It is impossible for a Senator on that committee to look up the facts on both sides of a particular case. Those who are interested present their side of the case, and it is, of course, altogether ex parte. Besides, as there is no way of keeping a record of the cases, frequently where we supposed a claim was dead and gone forever, it is again resurrected. Sometimes, even after thirty or forty years have passed away, we find such cases coming up, and there is no orderly record kept by which they can be disposed of without going into a new investigation. In many of these cases I have known Senators here to spend days and days investigating claims which have already been investigated and ought never to have been heard of again.

It may be said that this proposition is new, that it is unusual; but I understand that in the British Parliament there is always an attorney to defend and protect the interests of the Government before Parliamentary committees, and that that has always been the case. That has been a want here which has been felt. Millions of dollars would have been saved to the Government if we had had such an officer, and claims which are just would go through. We could sort them out. In the case of new Senators coming here and starting in as members of the Committee on Claims, they are obliged to investigate these claims without any record of their previous history. There is nobody to follow them up and nobody to defend them. That is a very poor way to try cases, and so they can not be fairly tried or disposed of.

Before the Committee on Indian Affairs there are claims constantly coming forward connected with treaties which are complicated and which require days to examine. If we had an attorney who would keep a record of what is done, he would be prepared to come in on these old matters and advise the committee. The committee then would not be so frequently misled and would not bring so much material into the Senate that is undigested. There is a crying need for an attorney in such cases. Even if it should take two, or three, or half a dozen such attorneys, it would save millions of dollars to the Government and you would do justice

where you are now failing to do justice. So I am decidedly in favor of an amendment of this character.

Mr. ALLISON. Mr. President, I feel constrained to object to the consideration of the amendment upon this bill. I think there is much force in what the Senator from Arkansas [Mr. JONES] and other Senators have said upon this subject; but I think this matter should be considered with great care by the Judiciary Committee of the Senate, reported to the Senate, and considered upon a bill at a later day; and, if necessary, I have no doubt unanimous consent can be had to consider such a bill.

Mr. JONES of Arkansas. I hope the Senator will not object to a vote being taken upon this proposition. There are so many flagrant instances of injustice being done to the Government, which this provision, if adopted, would guard against, that I certainly do not think the Senator from Iowa can object to it.

While the Senator from Nevada [Mr. STEWART] was on his feet a moment ago I recalled a case that was before the Committee on Claims when he and I were both members of it, where a claim for more than \$300,000 was presented to that committee which seemed perfectly straight on its face, but one member of the committee happened to remember facts that were away back in the files of the Senate, which were thereupon hunted up, and which being brought up showed the absolute injustice of the whole claim. The knowledge of those facts probably existed only in the mind of that Senator at the time. When claims are presented and urged by attorneys representing the claimants, in the absence of a proper record of previous action thereon, facts which would show the injustice of the claims may be forgotten. There ought to be a record kept to protect the Government against injustice in such cases.

Mr. ALLISON. That may all be true; but I know of two or three claims with which I have had some connection on the Appropriations Committee which would require an attorney, if he investigated them thoroughly, to work every day for six months.

Mr. STEWART. Certainly.

Mr. JONES of Arkansas. Then it ought to be done.

Mr. ALLISON. And I very much fear what has been so well said by the Senator from New Hampshire [Mr. CHANDLER], that we are building up a bureau here which will require a great number of clerks, and that a large number of files and papers will accumulate here or in the Office of the Attorney-General.

This may be a wise thing to do. I may be for it, and I think we shall all be for it after it has been carefully matured by the Judiciary Committee of this body. I think, however, the salary proposed is wholly inadequate for an attorney who is capable of investigating the variety and character of claims with which he would have to deal.

Mr. JONES of Arkansas. Then make the salary larger. I did not make any suggestion to the Department of Justice, but I wrote a note to the Attorney-General and asked him to prepare the form of an amendment. The form of the amendment and the salary were fixed by the Attorney-General himself.

Mr. ALLISON. We can consider this question at a later stage of the session.

Mr. TILLMAN. I would suggest to the Senator from Iowa that the point which occurs to me is, how are you going to get rid of the judicial functions of this officer if he is to pass upon the justice and injustice of a claim and determine it in his own mind?

Mr. JONES of Arkansas. There is no such proposition. All he will have to do will be simply to get the facts on the part of the Government and present them to the committees of Congress.

Mr. TILLMAN. I can see that it might save a good deal of money, but at the same time a great deal of injustice might be done by an attorney employed by the Government to come here and present the case against a claimant whose claims are absolutely just, whereas the claimant's side may not be properly presented.

Mr. JONES of Arkansas. If the Senator will allow me in that connection, the suggestion, I believe, of the Senator from Connecticut [Mr. PLATT] was that this proposition will facilitate the passage of all just claims. There is not a man in this Senate who does not know of claims that are absolutely just and fair which to-day are pending in Congress and have been pending here for years, which have not been paid.

Mr. TILLMAN. And many that can not even get consideration.

Mr. JONES of Arkansas. And many can not get consideration. They have not been paid for the reason that everybody who has appeared has been on one side of the case; the testimony is all ex parte, only one side being presented—that of the claimants, and no one appearing on behalf of the Government. If the facts on the part of the Government could come out plainly and be well known and distinctly understood, it would facilitate the passage of honest and just claims and prevent the passage of dishonest and unjust ones. Dishonest claims, as things stand now, have a better chance than honest claims, because men who will come here willing to sacrifice truth and honesty, and whose consciences do not interfere, will make false statements in order to secure favorable action on their claims, while in many stronger cases a man

who honestly comes and says, "Here is the difficulty; here is the reason why my claim was not paid," will fail to secure favorable consideration. I believe it is in the interest of honest claimants as well as in the interest of the Government that some such proposition as this should be adopted.

Mr. TILLMAN. If the Senator's contention is that this is in the interest of honest claimants, he will at once see the point I made in regard to the judicial character of this officer. You let him determine whether a claim is just or not.

Mr. JONES of Arkansas. Not at all. He has simply to present the facts.

Mr. TILLMAN. Then, how will the honest claimant get any consideration from a committee unless this attorney comes forward and presents the idea that this man's claim is a just claim? Therefore he will have decided the case in his own mind. You can not get rid of that conclusion.

Mr. SPOONER. If there is no objection to the claim, there would be no occasion for him to go before the committee.

Mr. JONES of Arkansas. The committee would not ask the attorney to appear in such a case.

Mr. TILLMAN. But the committee decide the claim entirely on this man's report.

Mr. SPOONER. If the committee ceases to exist mentally, yes; but if the committee is to continue to do its duty, simply being aided by the investigation of this attorney, no.

Mr. JONES of Arkansas. It will be only in cases where a committee so requests that this attorney will appear. In matters of no special importance the committee will not ask that an attorney shall be brought in; but in complicated cases, where a member of the committee can not make the necessary investigations, this man would be employed to look up the facts.

Mr. TELLER. I want to suggest to the Senator from Nevada [Mr. STEWART] who made the suggestion that we are working in the dark, that there is a very well arranged history of all these claims, which was prepared during the last two years—a full history of every claim that is now before Congress. I do not know whether the printing has been done or the work distributed yet, but it has been carefully prepared under the direction of the Senate by the Committee on Claims.

Mr. JONES of Arkansas. The Senator from Colorado does not mean to say that all the claims before all the committees are in that compilation?

Mr. TELLER. I understand that the compilation to which I refer was intended to be a sort of history of all claims before Congress of every kind and character. Of course, there may be one or two claims that are not included.

Mr. JONES of Arkansas. I will agree to name 25 important claims not mentioned in that compilation at all.

Mr. TELLER. The history to which I refer may not furnish the information the Senator from Arkansas [Mr. JONES] wants, but the Senator from Nevada [Mr. STEWART] suggested that claims have been paid when they ought not to have been paid, or something of that kind. I think we should have a complete history of all claims, so that if a claim has been paid that fact can be ascertained; and if it has been reported adversely, that can be found out. I do not think this has very much to do with the proposition. I understood the Senator from Nevada to be afraid that claims would be paid a second time.

Mr. STEWART. The Senator misunderstood me. I referred to old claims which come up again, which have been driven out by unanimous consent, with no particular record kept of them, and no report made upon them. We had no history of cases of that kind previous to the time when my friend from Colorado [Mr. TELLER] became the chairman of the Committee on Claims. I know that he has labored successfully since then, and that Congress made some appropriations so as to secure a history of claims.

Mr. TELLER. I did not cite that as touching this proposition. I thought probably the Senator did not understand that we had prepared such a history of claims.

Mr. STEWART. That is a work of great importance which was done after the Senator from Colorado took charge of the Committee on Claims. He undertook to make a history of claims before that committee; but in the Committee on Indian Affairs we are to a great extent working in the dark. Agreements with Indians and old claims of Indians, depending upon legal questions connected with Indian treaties, are coming up constantly. It takes a great deal of time to investigate them. The committee needs a competent man to make such an investigation, as the members of the committee have not time to do it.

Mr. MONEY. Mr. President, I concede the utility of an attorney to assist committees in getting at the facts in connection with claims. There is no doubt whatever in my mind that numbers of cases are put through here that are frauds; and there is no doubt, on the other hand, that many of the most meritorious and honorable claims are denied justice here day after day and session after session. The committees, however, have generally done as well as they could; they have made reports whenever able to do so; but the trouble is here in this body when you get the report made,

What is the use of testimony as to facts or citations as to the law being presented to this Senate when there is a case now pending, which has never had anything but unanimous favorable reports, upon a trust fund where the decision of the Supreme Court is held in contempt by this Senate?

What is the sense, then, of presenting claims here, I do not care how well supported in fact or in law, when this Senate has habitually disregarded the rights of claimants to a trust fund, so declared by the Supreme Court, and so expressed in the language of the statute itself, to authorize payment for property taken by the Government?

Not only that, but it was property taken in violation of every rule of civilized warfare among civilized nations, in violation of the rule laid down at The Hague, in violation of the regulations of our own Army and of every book on international law that was ever written; and yet the Senate habitually disregards the decisions of the Supreme Court whilst these claimants have been knocking at the doors of the Senate and of the House of Representatives for twenty-odd years without any redress; and when a bill comes in reported unanimously, as that bill has been year after year, it is put aside and has to give way continually to something else. I believe the money of the Government is going in the wrong direction, and that there should have been justice done in this case long ago.

I am in favor of one or more attorneys, if necessary, to get at the facts, and to arrange the decisions on the law to assist the committees; but what we need is the action of the Senate after the committees have reported. There is no use of encumbering the Calendar with cases when the Senate shows no disposition to pay the just debts of the Government when their own Supreme Court has decided in favor of them.

Mr. ALLISON. I make the point of order on the amendment.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. JONES of Arkansas. I should like to hear what the point of order is and on what ground the amendment is held by the Chair to be out of order.

Mr. ALLISON. On the ground that it is new legislation and general legislation.

Mr. TELLER. And not estimated for by the head of any Department.

Mr. ALLISON. I am perfectly willing that the amendment shall be thoroughly considered.

Mr. JONES of Arkansas. I shall not give myself any trouble about it. The Senator from Iowa is as much charged with responsibility in this matter as I am. I have tried for several years to have this subject considered. I feel that I have discharged my duty, and I am content.

The PRESIDENT pro tempore. Does the Senator desire to know upon what ground the point of order was sustained?

Mr. JONES of Arkansas. The Senator from Iowa [Mr. ALLISON] did not state on what ground the point of order was made. The amendment was reported from a standing committee of the Senate, and I supposed it was therefore entitled to some consideration.

The PRESIDENT pro tempore. The Chair was not informed of the fact that the amendment had been reported by a standing committee.

Mr. JONES of Arkansas. I stated that the amendment had been reported from a standing committee by a unanimous vote.

Mr. ALLISON. And referred to the Committee on Appropriations?

Mr. JONES of Arkansas. And referred to the Committee on Appropriations.

The PRESIDENT pro tempore. Then the Chair does not sustain the point of order.

Mr. ALLISON. I was not aware that the amendment had been reported by any committee and referred to the Committee on Appropriations. It may be among our amendments here, but I have not noticed it.

Mr. CHANDLER. I desire to say a few words more concerning the pending amendment. The fundamental objection to it is that it transfers from every one of the Departments of the Government the duty of making proper objection before the committees of Congress to the passage of bills paying claims.

To-day it is the duty of the head of every Department, when a claim is pending before a committee of Congress and the committee sends the bill to his Department, to present to the committee all the facts, and, if desired by the committee, to send some one of its officers to make defense, in some sort, to the claim. It may be the duty of the head of the Department to go before the committee of Congress, and each Department is bound itself by its own officers to instruct the various committees of the two Houses as to facts.

What will be the result if this amendment shall be adopted? This little \$3,000 officer is appointed in the Department of Justice to make these defenses when the committees call upon him. The duty of making the defense will be transferred then from the

Department to this officer. He goes before a committee and says, "I have looked into this claim; it is all right, and I see no objection to it." Then the committee will report the bill to pay the claim. If there should ever be any criticism, the Department in which the claim originated will disclaim all responsibility and say, "Congress created an officer, a bureau in the Department of Justice, to present these facts, and this Department is not to blame because an unjust claim has been paid by Congress."

Take the case which has been suggested by a Senator. Here is a large claim of, say, \$500,000 which originates in the Interior Department. It concerns Interior Department matters pending before a committee of Congress. The committee of Congress wants the subject thoroughly investigated. It sends to the Secretary of the Interior, who sends up the facts in writing, or he sends somebody to present the facts in writing to the committee, but if this proposition be adopted a \$3,000 assistant attorney down in the Department of Justice would be sent for, and he would come here. We must go to the other Departments to get the facts. So you must have a bureau in the Department of Justice which will send to each one of all the various Departments to get the facts, and in this case he sends to the Interior Department. The Interior Department transmits the papers to him, and, after looking them over, he comes before the committee of Congress, representing not the Department of the Interior, but representing the Attorney-General; and the responsibility, I say, is taken from the Secretary of the Interior and transferred in advance to the Department of Justice.

Mr. President, it is a dangerous thing to do; it is an absolutely absurd thing to do. Appointing only a \$3,000 officer, with the idea that he is going to make proper defenses before the committees of Congress as to matters concerning all the Departments of the Government, will either prove an utter failure or you will have created—which you might as well do in the Department—a bureau in the Attorney-General's Office for the proper defense of claims before committees of Congress. If you are going to make such an office and to give this enormous power to the officer who is to appear before the committees of Congress, then let it be done in pursuance of a bill to provide an assistant attorney-general, an assistant to that assistant, a clerk, and all the paraphernalia of a bureau of the Government.

If this thing is to be done and responsibility for defending claims is to be taken away from the various heads of Departments, then do it adequately and in a manner that will afford some protection to the Government against the injuries to result if one officer, called an attorney in the Department of Justice, is to be given all the power which this amendment will give such officer. Why, Mr. President, he will be the most important officer in the whole Government, because if he is to come up here and appear before the committee and defend claims officially he will have a certain judicial character, as the Senator from South Carolina [Mr. TILLMAN] has suggested, and he will be allowed to say: "I have investigated this claim and I think it is just." So the committees of Congress will substitute his judgment for their judgment; and the first we know the Treasury will be depleted by the passage of vast numbers of claims, against which there will be a public outcry, and when we seek to fasten the responsibility for the payment of those claims upon the proper Department of the Government we will find the responsibility always shifted to this most important officer of the Government.

I say, Mr. President, the whole thing is an incongruity and an anomaly, which I hope the Senate will not vote upon the bill.

Mr. ALLISON. Mr. President—

Mr. JONES of Arkansas. I hope we shall have a vote upon the amendment.

Mr. ALLISON. I rose to move an adjournment.

Mr. CHANDLER. The amendment of the Senator from Arkansas [Mr. JONES] has not yet been voted upon.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Arkansas. [Putting the question.] By the sound, the "ayes" have it; and the amendment is agreed to.

Mr. CHANDLER. I ask for a division.

Mr. STEWART and others. Oh, no.

Mr. PLATT of Connecticut. If the Senator from New Hampshire demands a division, we may as well adjourn.

Mr. ALLISON. I move that the Senate adjourn.

Mr. CHANDLER. If the amendment can remain pending, I will withdraw my call for a division.

The PRESIDENT pro tempore. The Chair has declared the amendment carried.

Mr. CHANDLER. I asked for a division.

Mr. ALLISON. I ask that the amendment may be regarded as still pending.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the amendment may be regarded as still pending. Is there objection? The Chair hears none.

Mr. JONES of Arkansas. The Senate has voted on the question and disposed of it.

Mr. TILLMAN. Not on this question.

Mr. JONES of Arkansas. All right. If the Senator from South Carolina wants to keep it open, I have no objection.

The PRESIDENT pro tempore. The Chair understands that the amendment offered by the Senator from Arkansas is still pending.

Mr. ALLISON. That is my understanding. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 33 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 23, 1901, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 21, 1901.

ATTORNEY-GENERAL OF PORTO RICO.

James S. Harlan, of Illinois, to be attorney-general of Porto Rico.

COLLECTOR OF INTERNAL REVENUE.

James Denton, of Kentucky, to be collector of internal revenue for the Eighth district of Kentucky.

APPOINTMENTS IN THE ARMY.

Medical Department.

Edward P. Rockhill, of Pennsylvania, to be assistant surgeon with the rank of first lieutenant, January 9, 1901.

Cavalry arm.

Second Lieut. Samuel F. Dallam, Eighth Cavalry, to be first lieutenant, December 11, 1900.

APPOINTMENTS IN THE VOLUNTEER ARMY.

Twenty-eighth Infantry.

First Sergt. Harry H. Goodyear, Twenty-eighth Infantry, United States Volunteers, to be second lieutenant, January 14, 1901.

Thirtieth Infantry.

First Sergt. Charles W. Stewart, Company H, Thirtieth Infantry, United States Volunteers, to be second lieutenant, January 4, 1901.

Forty-second Infantry.

Battalion Sergt. Maj. Horace F. Sykes, Forty-second Infantry, to be second lieutenant, January 9, 1901.

PROMOTIONS IN THE VOLUNTEER ARMY.

Forty-second Infantry.

First Lieut. Henry F. McFeely, Forty-second Infantry, to be captain, January 2, 1901.

Second Lieut. Edward F. Hackett, jr., Forty-second Infantry, to be first lieutenant, January 2, 1901.

Forty-ninth Infantry.

First Lieut. William H. Butler, Forty-ninth Infantry, to be captain, January 2, 1901.

Second Lieut. Wyatt Huffman, Forty-ninth Infantry, to be first lieutenant, January 2, 1901.

POSTMASTERS.

Ezra C. Ferris, to be postmaster at Croton on Hudson, Westchester County, N. Y.

Albert O. Blackwell, to be postmaster at Laporte, Harris County, Tex.

William F. Wieland, to be postmaster at Weatherford, Parker County, Tex.

Mary P. Dixon, to be postmaster at Westpoint, Troup County, Ga.

J. L. Hickson, to be postmaster at Gainesville, Cooke County, Tex.

Executive nomination confirmed by the Senate January 22, 1901.

POSTMASTER.

Edmund P. Denton, to be postmaster at Hamilton, Hancock County, Ill.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 22, 1901.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

JOURNAL.

The Journal of yesterday's proceedings was read.

Mr. McRAE. Mr. Speaker, the Journal is incorrect in one respect. The last bill referred to was not before the Committee on the Public Lands, but on the Speaker's table.

The SPEAKER. The gentleman is correct about it. The correction will be made, and, without objection, the Journal will be approved.

BREAKWATER AT BURLINGTON, VT.

Mr. GROUT. Mr. Speaker, I ask unanimous consent to recall from the Committee on Rivers and Harbors Senate concurrent resolution 89, and ask for its immediate consideration by the

House. This resolution simply calls for information from the Treasury Department, and has been passed by the Senate.

The SPEAKER. The gentleman from Vermont moves to discharge the Committee on Rivers and Harbors from the further consideration of Senate concurrent resolution 89, and to have said resolution considered now in the House. The Clerk will report the resolution for the information of the House.

The Clerk read as follows:

Senate concurrent resolution 89.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to furnish Congress with a report showing the present condition of the breakwater at Burlington, Vt., with an estimate of cost for its proper repair and completion.

The SPEAKER. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

The question was taken; and the concurrent resolution was agreed to.

BRENNECKES SHOALS, OSAGE RIVER, MISSOURI.

Mr. SHACKLEFORD. Mr. Speaker, I ask permission to have Senate concurrent resolution 94 withdrawn from the committee, and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Missouri asks unanimous consent to take from the Speaker's table Senate concurrent resolution 94 and consider the same now.

The Clerk read as follows:

Senate concurrent resolution 94.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be directed to transmit to the Senate an additional estimate of the amount necessary to be appropriated for the completion of the work upon the lock and dam at Brennekes Shoals, on the Osage River, in the State of Missouri.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the concurrent resolution was agreed to.

EXTENSION OF MINING LAWS TO SALINE LANDS.

Mr. NEWLANDS. Mr. Speaker, I desire to call up Senate bill 3313, which was pending last night.

The SPEAKER. The gentleman from Nevada calls up the unfinished business of last evening, it being Senate bill 3313. The Clerk will again report the bill for the information of the House.

The Clerk read as follows:

A bill (S. 3313) extending the mining laws to saline lands.

The bill was read at length.

Mr. NEWLANDS. Mr. Speaker, the purpose of this bill is to permit the entry and patenting of lands bearing salt. You all know that under the mineral-land laws two kinds of locations can be made—one the location of lodes or veins of quartz or other rock in place bearing gold, silver, lead, tin, etc., and the other placer locations or surface locations. The policy of Congress has been gradually to extend the placer locations to different kinds of mineral lands. For a long time saline lands were permitted to be sold in certain States in the Union and not in other States. In other cases grants were made of saline lands to States. The State of Nevada, which I represent, has not come under the operation of either of these laws relating to the disposition of saline lands.

That State has never received, as other States have, a grant of saline lands; the law relating to the sale of saline lands at public auction has not applied to that State. It and some seven or eight other States were excepted from its operations. The inability to locate and enter saline lands has worked great inconvenience in that State. You know that salt is essential in mining, and it has been impossible to locate the salt in the deserts of that country with a view to mining. So I introduced some time ago a bill upon this subject, substantially the same as that which has passed the Senate, and which is now under consideration.

This bill, general in character, received the approval of the Committee on Public Lands, and was reported favorably to the House. The Committee on Public Lands has also acted favorably upon the Senate bill and has recommended its substitution for the pending bill in the House. It simply extends the operations of the placer-location laws to saline lands. Placer locations can now be made with reference to gold, silver, and other precious metals, and the law has been extended from time to time. It has been extended so as to embrace stone; it has been extended so as to embrace mineral oils, petroleum, etc. The location under the law consists of 20 acres, and an association of 8 can take up 8 claims, and thus the limit of location to entry to any given association is 160 acres. With this statement, I will reserve the balance of my time.

Mr. McRAE. Mr. Speaker, the only law in force for the disposal of the saline land was approved January 12, 1877, and is as follows:

CHAP. 18.—An act providing for the sale of saline lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall be made appear to the register and the receiver of any land office of the United States that any lands within their district are saline in character, it shall be the duty of said register and said receiver, under the regulations of the General Land Office,